

PB# 97-28

**SQUIRE VILLAGE COMMUNITY CENTER
(DESTINTA THEATER)**

23-1-53.1 & 3

87 - 28 Squire Village Comm. Center - Theater
Rt. 94 (Kartiganer)

Approved 1/30/98

✓

MADE IN U.S.A.
© Wilson Jones, 1989

DATE August 23, 1997 **RECEIPT** 6772255

RECEIVED FROM Joseph B. Angelotti

Address _____

FOR Chesterfield and 100 DOLLARS \$ 100.00

1/2 Application fee - # 97-28

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK # <u>173</u>	<u>100.00</u>
BALANCE DUE		MONEY ORDER	

BY Town Clerk

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DATE August 8, 1997 **RECEIPT** 97-28

RECEIVED FROM Joseph Angelotti

Address 8 Kearney Avenue - Whippany, NJ 07981

FOR Sever Hundred Fifty 00/100 DOLLARS \$ 750.00

Site Plan Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	<u>750 -</u>	CASH	
AMOUNT PAID	<u>750 -</u>	CHECK # <u>172</u>	
BALANCE DUE	<u>-0 -</u>	MONEY ORDER	

BY Myra Mason, Secretary

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DATE January 19, 1998 **RECEIPT** 97-28

RECEIVED FROM Joseph Angelotti

Address 8 Kearney Ave. - Whippany, NJ 07981

FOR Six Thousand Three Hundred Eighty 75/100 DOLLARS \$ 6,380.75

2% of \$319,037.50 Cost Estimate-Inspection fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE	<u>6,380.75</u>	CASH	
AMOUNT PAID	<u>6,380.75</u>	CHECK # <u>1435</u>	
BALANCE DUE	<u>-0 -</u>	MONEY ORDER	

BY Myra Mason, Secretary

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DATE January 19, 1998 **RECEIPT** 340934

RECEIVED FROM Joseph D. Angelotti

Address _____

FOR Approval Fee, Planning Board DOLLARS \$ 100.00

97-28

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	<u>100.00</u>
BALANCE DUE		MONEY ORDER	

BY Dorothy N. Hanson

fox
860-346-6610
Lease materials
565-4133 fox
865 x800
jelly lease

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/12/98

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
01/30/98	PLANS STAMPED	APPROVED
12/10/97	P.B. APPEARANCE . DISCUSSION TO AMEND SIZE OF BUILDING	DISCUSSION ONLY
11/12/97	P.B. APPEARANCE . ORIGINAL CONDITIONS STILL APPLY - ADDITION OF 3' FOR . SPEAKERS - APPROVED CONDITIONAL	APPR. CONDITIONAL
11/04/97	WORK SESSION APPEARANCE . RESUBMIT PLANS FOR FURTHER AMENDMENT	NEEDS FURTHER AMEND
09/24/97	P.B. APPEARANCE (PUBLIC HEAR) . CORRECT SQ. FT. FOR "BAR" IN RELATION TO PARKING . REQUIREMENTS - ADD STOP BAR ON UNION AVE SIDE . APPROVED CONDITIONALLY - AS OF 11/05/97 APPLICANT TO RETURN . FOR AN AMENDMENT TO THE APPROVAL	NO PUBLIC COMMENT
08/27/97	P.B. APPEARANCE . ADDRESS MARK'S COMMENTS - FOOTING & DEMOLITION PERMITS TO BE . ISSUED NOW	SCHEDULE P.H.-
08/20/97	WORK SESSION APPEARANCE	SUBMIT
08/13/97	P.B. APPEARANCE	LA: RETURN
08/06/97	WORK SESSION APPEARANCE	RET. TO W.S.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/12/98

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	08/22/97	MUNICIPAL HIGHWAY	08/29/97	APPROVED
REV1	08/22/97	MUNICIPAL WATER	08/26/97	APPROVED
REV1	08/22/97	MUNICIPAL SEWER	/ /	
REV1	08/22/97	MUNICIPAL FIRE	08/26/97	APPROVED
ORIG	08/08/97	MUNICIPAL HIGHWAY	08/11/97	APPROVED
ORIG	08/08/97	MUNICIPAL WATER	08/11/97	APPROVED
		. THERE IS TOWN WATER SERVICE TO THIS PROPERTY. PLEASE		
		. CONTACT WATER DEPT. FOR ANY CHANGES IN SERVICE LINE.		
ORIG	08/08/97	MUNICIPAL SEWER	08/22/97	SUPERSEDED BY REV1
ORIG	08/08/97	MUNICIPAL FIRE	08/12/97	APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/12/98

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LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	08/08/97	EAF SUBMITTED	08/08/97	WITH APPLICATIN
ORIG	08/08/97	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	08/08/97	LEAD AGENCY DECLARED	08/13/97	TOOK L.A.
ORIG	08/08/97	DECLARATION (POS/NEG)	09/24/97	DECL. NEG DEC
ORIG	08/08/97	PUBLIC HEARING	08/27/97	SCHEDULE P.H.
ORIG	08/08/97	AGRICULTURAL NOTICES	/ /	
ORIG	08/19/97		/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/19/98

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
/ /		PAID		0.00	
08/08/97	REC. CK. #172	PAID		750.00	
08/13/97	P.B. ATTY FEE	CHG	35.00		
08/13/97	P.B. MINUTES	CHG	76.50		
08/27/97	P.B. ATTY. FEE	CHG	35.00		
08/27/97	P.B. MINUTES	CHG	58.50		
09/24/97	P.B. ATTY. FEE	CHG	35.00		
09/24/97	P.B. MINUTES	CHG	45.00		
10/21/97	P.B. ENGINEER FEE	CHG	326.00		
11/12/97	P.B. ATTY. FEE	CHG	35.00		
11/12/97	P.B. MINUTES	CHG	18.00		
01/19/98	RET. TO APPLICANT	CHG	86.00		
		TOTAL:	750.00	750.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/19/98

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/07/98	SITE PLAN APPROVAL FEE	CHG	100.00		
01/19/98	REC. CK. #1436	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/19/98

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/07/98	2% OF \$319,037.50	CHG	6380.75		
01/19/98	REC. CK. #1435	PAID		6380.75	
		TOTAL:	6380.75	6380.75	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/07/98

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
/ /		PAID		0.00	
08/08/97	REC. CK. #172	PAID		750.00	
08/13/97	P.B. ATTY FEE	CHG	35.00		
08/13/97	P.B. MINUTES	CHG	76.50		
08/27/97	P.B. ATTY. FEE	CHG	35.00		
08/27/97	P.B. MINUTES	CHG	58.50		
09/24/97	P.B. ATTY. FEE	CHG	35.00		
09/24/97	P.B. MINUTES	CHG	45.00		
10/21/97	P.B. ENGINEER FEE	CHG	326.00		
11/12/97	P.B. ATTY. FEE	CHG	35.00		
11/12/97	P.B. MINUTES	CHG	18.00		
	TOTAL:		664.00	750.00	-86.00

you will get back

Give to applicant at 1/7/98 W.S.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/07/98

PAGE: 1

LISTING OF PLANNING BOARD FEES

~~4%~~ FEE

2%

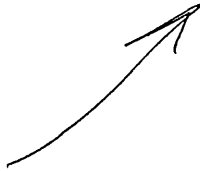
FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER

APPLICANT: DESTINTA THEATERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/07/98	2% OF \$319,037.50	CHG	6380.75		
		TOTAL:	6380.75	0.00	6380.75

Need Check



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/07/98

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 97-28

NAME: SQUIRE VILLAGE COMMERCIAL CENTER-DESTINA THEATER
APPLICANT: DESTINTA THEATERS

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	--AMT-PAID	--BAL-DUE
01/07/98	SITE PLAN APPROVAL FEE	CHG	100.00		
			-----	-----	-----
		TOTAL:	100.00	0.00	100.00

Need Check





McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # -

WORK SESSION DATE: 3 DEC 1997 APPLICANT RESUB.
REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: Later

PROJECT NAME: Squire Theater Amendment

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Scott K

MUNIC REPS PRESENT: BLDG INSP.
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify) file review

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 8 → 12 floor 11750 add 15K
- add "parking on vacant lot to east"
- see landscape report (keep)
- fire hydrants

AGENDA
*

Review Conf @ 12/10/97
mtg



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF

New Windsor

P/B #

97-28

WORK SESSION DATE:

5 Nov 97

APPLICANT RESUB.

REQUIRED:

new plan

REAPPEARANCE AT W/S REQUESTED:

no

PROJECT NAME:

Destina S/P (Squire Theater)

PROJECT STATUS:

NEW

OLD

REPRESENTATIVE PRESENT:

MUNIC REPS PRESENT:

BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

3' addition to rear
of bldg -

- old file not closed out
thing in under or is off

11/12 agenda

4MJE91 pbwsform

In the Matter of the Application of

FRANKLIN ASSOCS./DESTINTA THEATRES

MEMORANDUM OF
DECISION GRANTING
SIGNAREA VARIANCE

#97-34

WHEREAS, FRANKLIN ASSOCIATES, % Offices of the Undersigned, a general partnership with a location at 1 Garret Mountain Plaza, Paterson, N.J. 07505 (owner), and **DESTINTA THEATRES**, a corporation with offices located at 125 E. 71st Street, New York, N. Y. 10021, (lessee) have made application before the Zoning Board of Appeals for a 5 ft. x 6 in. sign height and 8 ft. sign width variance for a wall sign, and a 19 ft. height and 1,346 s.f. sign area variance for a free-standing, double-faced pole sign for proposed theatre property located in a shopping mall at 217 Quassaick Avenue, New Windsor, N. Y. 12553, in an NC zone; and

WHEREAS, a public hearing was held on the 27th day of October, 1997 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared by Joseph D. Angelotti of Destinta Theatres there was a proxy on file from the owner of the property in question; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located adjacent to an apartment/condominium complex and contained in a mixed neighborhood of commercial and residential properties.

(b) The site is a shopping center.

(c) There is no sign on the premises advertising a business on this premises since that space is currently vacant. There is a free-standing sign on the premises advertising the presence of other tenants on the premises containing both past and present tenants.

(d) The proposed free-standing sign while it would be in excess of the signage allowed by the Town Code, would be smaller than the sign which presently exists.

(e) The proposed sign was carefully constructed by the Applicant to advertise not only its business but the presence of the other tenants of the shopping center.

(f) There is another small, free-standing sign between the premises and the roadway presently containing a yellow insert which will be removed by the Applicant if the variance is granted and as a condition of such granting.

(g) The wall sign is sought in order to distinguish the movie theatre premises from the other tenants, especially those located on the ground floor, who presently have wall signs advertising their premises.

(h) The wall sign proposed by the Applicant is consistent with the existing signs, it is larger than the existing signs because Destinta Theatres portion of the shopping center will be larger.

(I) The peculiar nature of the business of Destinta Theatres requires that they sign with changeable letters so that the movies then showing can be advertised.

(j) The proposed sign will not be flashing and will not contain any neon. It will have interior illumination provided by a steady fluorescent light.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties. The area is a mixed area of commercial and residential use and this particular premises has been a commercial area since prior enactment of zoning in the Town of New Windsor.

2. There is no other feasible method available to the Applicant which can produce the benefits sought. The nature of the business of Destinta Theatres and the presence of other tenants in the shopping center require more signage than would otherwise be allowed. The proposed sign is the smallest sign which will provide adequate signage.

3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted due to the peculiar nature of the property.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed because of the existence of a new business in that location needs some signage to identify it to the public and allowing the proposed sign to be erected will not only be consistent with the shopping center within which it is located but will promote the interests of the Town of New Windsor by having further commercial development serving its citizens.

6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community. As a condition of the granting of the variance, the other free-standing sign on the property will be removed and the free-standing sign to be erected will advertise the presence not only of Destinta Theatres but of the other tenants of the shopping center.

8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 6 ft. x 8 in. sign width variance for a wall sign plus 19 ft. height and 1,346 s.f. sign area variance for pole sign for proposed theatre located at 217 Quassaick Avenue (formerly Foodtown) in an NC zone, as sought by the Applicants in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: December 8, 1997.


Chairman

DESTINA THEATER SITE PLAN (97-28) RT. 94

Mr. Mario Vergara and Mr. Joseph Angelotti appeared before the board for this proposal.

MR. PETRO: This is an amended site plan?

MR. ANGELOTTI: Yes, it is.

MR. PETRO: This plan was previously reviewed at the 13 August, 1997, 27 August, 1997 and 24 August, 1997 planning board meetings. Okay.

MR. VERGARA: Modification is simple addition of three feet of the building to the rear for the purpose of installing speakers behind the auditorium. The modification does not affect the number of seats in the building, therefore it would not affect the parking counts, the encroachment of three feet is on the sidewalk, it would reduce the previous ten foot sidewalk to a seven foot width and absolutely has no affect on any other aspect of the site.

MR. PETRO: Seven foot still seems to be quite adequate.

MR. LANDER: Six foot, yeah.

MR. PETRO: I don't see any problems with this. Obviously, this was something that came up as you started construction so just surfaced after you already had final approval.

MR. ANGELOTTI: That is correct.

MR. PETRO: Did the sewer problem get straightened out there? I know you had a problem.

MR. ANGELOTTI: We have a big meeting tomorrow at 9 o'clock with someone that we hope is going to better define that. Martin is the owner of the property, Martin Kemwood (phonetic) is going to take care of it on his own, we'll do it for him, a gravity feed going out, I don't know if you indicated on there.

MR. PETRO: Are you going to put, did you find out where it's going out?

MR. ANGELOTTI: That has been agreed upon.

MR. LUCAS: An engineering study or anybody been able to do that?

MR. ANGELOTTI: Tomorrow should answer a lot more questions regarding that.

MR. LUCAS: If we get a report who will we get the report from?

MR. ANGELOTTI: I don't know.

MR. PETRO: Mike, sewer department monitoring this or John at the sewer department?

MR. BABCOCK: I don't know whether John's been talked to about this at all but my department wouldn't do that.

MR. PETRO: Why don't you bring us up to date, you're getting a sewer, a backing up of the sewer from the Squire Village complex back into your line, is that what's happening?

MR. VERGARA: There was some concern that the lines have been filled over the years and we're not aware of any particular backup per se, it's I believe the town engineer, Mr. Edsall, had some concern about that last meeting.

MR. STENT: I think we're talking storm drainage, we're not talking sewer.

MR. PETRO: Yeah, but there's sewage in the drainage.

MR. STENT: In the storm drainage? I didn't know that.

MR. PETRO: Am I correct?

MR. VERGARA: I'm not aware of that problem.

MR. LUCAS: What you're doing tomorrow, are you doing it, the owner, yourself or are you having an engineer do some type--

MR. ANGELOTTI: Work isn't going to be performed, we are going to meet tomorrow at 9 since he is going to pay for it, but he asked us since we're going to be on the site, if we would choral it, so our G.C. is going to be bringing someone with him that has the plans and has spoken to Mr. Kenwood regarding what he wants to do in terms of this gravity feed and they are going to walk the site tomorrow and come back with their report Tuesday or Wednesday.

MR. PETRO: Here's what I'd like to do because I'm not completely convinced that this is a planning board issue. I'm bringing it up now directing your department, Mike, maybe to keep on top of it and give a report back to us and other agencies, other, obviously if there was a problem, Board of Health, sewer department or your department that would enforce or get it straightened out.

MR. BABCOCK: Right.

MR. PETRO: If the sewer line's not working, you would need a new one no matter what.

MR. ANGELOTTI: It's been represented to us though he's doing this out of more preventative as the site continues to develop, no actual problems have been to us yet, just so you know that based on what we have done in terms of looking at everything.

MR. PETRO: You're not getting any sewer smell anywhere on the site that is coming from the catch basins?

MR. ANGELOTTI: They did a preliminary walk-through, we talked about ponding as well also just nothing that points right now to any problem that we're going specifically to address.

MR. PETRO: We'll cut this off. Mike, can you look into it a little bit?

MR. BABCOCK: I will take care of it, yes.

MR. PETRO: Any other questions?

MR. EDSALL: Jim, just you had it in the record, this really isn't a separate amendment application, what they have done as they approached getting the plan stamped, they found out that they had this problem, it's still the original application, just looking now for the board's approval to modify the plan before it gets stamped.

MR. PETRO: They did receive final approval.

MR. EDSALL: Conditional, this is just a change to that approval that is in place.

MR. PETRO: What we'll do is we'll make a motion that the other conditions, whatever they have been, will still be in effect and not affected by this approval in any way.

MR. LANDER: I make that motion.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant conditional final approval to the Squire Village Shopping Center site plan on Route 94 and Union Avenue and I'm not going to read that in general, Franny has it in the minutes, everybody understands that. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
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New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

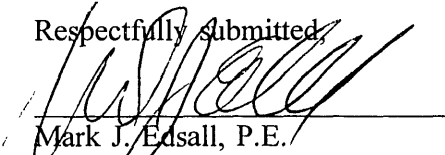
REVIEW NAME: SQUIRE VILLAGE SHOPPING CENTER SITE PLAN
(SITE IMPROVEMENTS FOR DESTINA THEATERS)
PROJECT LOCATION: NYS ROUTE 94 AND UNION AVENUE
PROJECT NUMBER: 97-28
DATE: 11 NOVEMBER 1997
DESCRIPTION: THE APPLICATION PROPOSES THE CONVERSION OF THE
FORMER RETAIL MARKET AT THE WEST OF THE SITE TO
A MOVIE THEATER. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 13 AUGUST 1997, 27 AUGUST 1997
AND 24 SEPTEMBER 1997 PLANNING BOARD MEETINGS.

1. This project currently has conditional site plan approval. The Applicant is before the Board at this meeting requesting an additional change to the final plan before stamp of approval is received. This modification involves a 3' addition to the rear of the building.

This minor addition would appear to only have an impact relative to the width of the sidewalk along the rear parking row. The sidewalk remains 7' wide, which is more than adequate. As such, I see no significance or impact to this minor building addition and change to the final site plan.

2. The Board should verify that no further changes have been made to this plan since the Board's previous approval.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:SQUIRE4.mk



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, DECEMBER 10, 1997 - 7:30 P.M.

TENTATIVE AGENDA

CALL TO ORDER → ROLL CALL → APPROVAL OF MINUTES DATED: 10/8/97 & 10/22/97

ANNUAL MOBILE HOME PARK REVIEW:

- a. SILVER STREAM MOBILE HOME PARK - RT. 207 (CLARK)

PUBLIC HEARING:

TO SHOW
PLIM
APPROVED

1. SHANNON ACRES SUBDIVISION - (97-11) DEAN HILL & MT. AIRY
ROADS

POSSIBLE Z.B.A. REFERRALS:

2. Mans, Clarence - Vails Gate Annex Amended Site Plan (95-35) (Cuomo)
3. Flannery Animal Hospital Site Plan (97-44) Rt. 300 (Shaw)

REGULAR ITEMS:

4. Jagger Subdivision (92-5) Union Avenue (Kartiganer) — MYRA SEND MAP TO HIGHWAY
5. Mobil Oil Site Plan (97-25) Rt. 32 & Rt. 94 (Tyree Engineering)
6. Blooming Grove Operating Subdivision - PHASE II (97-40) Toleman Rd (Zimmerman)
7. Blooming Grove Operating Subdivision - PHASE III (97-41) Toleman Road (Zimmerman)
8. Windsor Crest Amended Site Plan (97-45) Rt. 32 (Shaw)

PRESUBMISSION:

9. Destina Theaters Amended Site Plan - Squire Plaza (Kartiganer)

CORRESPONDENCE:

10. C & R ENTERPRISES SUB - REQUEST FOR REAPPROVAL (90-31)

DISCUSSION:

11. "Mommy & Me" classes at site on corner of Rt. 32 & Union Ave. (Engineer)

ADJOURNMENT

(NEXT MEETING - JANUARY 14, 1998)

RESULTS OF P.B. MEETING

DATE: November 12, 1997

PROJECT NAME: Quintera Theater PROJECT NUMBER 97-28

LEAD AGENCY:

* NEGATIVE DEC:

M) S) VOTE: A N

* M) S) VOTE: A N

CARRIED: YES NO

* CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY: 11/12/97

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Amendment of 3' after speakers to be added behind Screen.

Original Conditions still valid



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

20 October 1997

MEMORANDUM

TO: Myra Mason, Planning Board Secretary

FROM: Mark J. Edsall, P.E., Planning Board Engineer


SUBJECT: SQUIRE VILLAGE THEATER SITE PLAN
NEW WINDSOR PLANNING BOARD NO. 97-28

I have reviewed the site improvement cost estimate for the subject project, as prepared by Scott Kartiganer, P.E. Attached hereto, please find a marked-up copy of the Cost Estimate. Certain items have been eliminated from the estimate and the revised amount for the site improvements is recommended as \$319,037.50. The associated inspection fee payable to the Town is indicated on the estimate. The Planning Board approved the plan and I am aware of no conditions requiring changes to the plan as approved.

A printout of our time for the review of this application is enclosed herewith such that you can close-out the file.

Please contact me if you have any questions regarding the above.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJesh

a:myra1020.sh

Preliminary Engineering Cost Estimate for Squire Village Improvements 9/29/97
Prepared by Scott Kartiganer, P.E.

Description of Item	Quantity	Units	Unit Cost	Total Cost
1. Soil Erosion Control				
A. Silt Fence	600.00	lf	3.50	2,100.00
Subtotal				\$ 2,100.00
2. Site Preparation				
A. Site Clearing	0.80	ac	2,500.00	2,000.00
Subtotal				\$ 2,000.00
3. Earthwork				
A. Stripping & Stockpiling of topsoil	2,700.00	cy	2.50	6,750.00
B. Cut to Grade	1,000.00	cy	2.75	2,750.00
C. Fine Grading	0.80	ac	2,500.00	2,000.00
Subtotal				\$ 11,500.00
4. Site Improvements				
A. Concrete Curb	2,650.00	lf	13.00	34,450.00
B. Concrete Sidewalk	1,300.00	sf	5.00	6,500.00
C. Pavement Resurface 2"	18,155.00	sy	6.00	108,930.00
D. New Pavement	3,929.00	sy	12.50	49,112.50
E. Parking Lot Striping	407.00	ea stall	15.00	6,105.00
F. Stop bars	19.00	ea	50.00	950.00
G. Arrows	18.00	ea	30.00	540.00
H. Fire striping	850.00	lf	10.00	8,500.00
Subtotal				\$ 215,087.50
5. Storm drainage				
A. New Catch Basins	1.00	ea	850.00	850.00
B. Reset CBs	2.00	ea	400.00	800.00
Subtotal				\$ 1,650.00
6. Landscaping				
A. Major Trees	49.00	ea	200.00	9,800.00
B. Island Landscaping	10.00	ea	550.00	5,500.00
C. Topsoil, Seeding & Mulch	3,500.00	cy	1.00	3,500.00
Subtotal				\$ 18,800.00
7. Site Lighting				
A. Pole Foundations(24" dia)	17.00	ea	500.00	8,500.00
B. Light Poles 30' w/400 Watt Luminaire	17.00	ea	3,000.00	51,000.00
C. Underground Feeder Cable	2,400.00	lf	10.00	24,000.00
Subtotal				\$ 83,500.00

Total

\$ ~~334,637.50~~ 319,037.50
27% FEE #6380.75

ECT-21-1997 16:47

MC GOEY, HAUSER & EDSELL

914 562 1413 P.04/06

PAGE. 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 97- 28

FOR WORK DONE PRIOR TO: 10/21/97

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	-----DOLLARS-----			
								TIME	EXP.	BILLED	BALANCE
97-28	123713	06/18/97	TIME	MJE	WS SQUIRE VILL THEATER	75.00	0.40	30.00			
97-28	128865	08/06/97	TIME	MJE	WS SQUIRE THEATER	75.00	0.50	37.50			
97-28	128914	08/11/97	TIME	MJE	MC SQUIRE THEATER S/P	75.00	0.70	52.50			
97-28	128308	08/12/97	TIME	MCK	CL SQUIRE VILL RVW COMM	28.00	0.50	14.00			
97-28	128920	08/12/97	TIME	MJE	MC SQUIRE THEATER S/P	75.00	0.10	7.50			
97-28	129017	08/20/97	TIME	MJE	WS SQUIRE THEATER	75.00	0.40	30.00			
97-28	129538	08/27/97	TIME	MCK	CL SQUIRE VILL RVW COMM	28.00	0.50	14.00			
								185.50			
97-28	131236	08/31/97			BILL 97-807 9/15/97					-185.50	
										-185.50	
97-28	132411	09/23/97	TIME	MJE	MC SQUIRE W/PB SECRET	75.00	0.20	15.00			
97-28	132413	09/23/97	TIME	MJE	MC SQUIRE THEATER	75.00	0.70	52.50			
97-28	132286	09/24/97	TIME	MJE	MM COND S/P APPL	75.00	0.10	7.50			
97-28	132571	09/24/97	TIME	MCK	CL SQUIRE VILL RVW COMM	28.00	0.50	14.00			
								89.00			
97-28	134063	09/30/97			BILL 97-912 10/10/97					-89.00	
										-89.00	
97-28	134464	10/20/97	TIME	MJE	MC SQUIRE site cost	75.00	0.50	37.50			
97-28	134464	10/20/97	TIME	MJE	MC SQUIRE site cost	75.00	0.50	37.50			
97-28	134465	10/21/97	TIME	MCK	CL SQUIRE THEATER	28.00	0.50	14.00			
TASK TOTAL								363.50	0.00	-274.50	89.00
GRAND TOTAL								363.50	0.00	-274.50	89.00
								\$ 326.00		\$ 51.50	

SCOTT KARTIGANER, P.E.
Civil/Environmental Engineers & Planners
872 Westfield Street
MIDDLETOWN, CT 06457
(860) 346-6610

LETTER OF TRANSMITTAL

DATE	10/11/97	JOB NO.
ATTENTION	MYRA.	
RE	SQUIRE VILLAGE.	

TO Town of New PB.

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
11			SETS.

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS Myra.
FOR DEO. MEETING -
MARIO VICERRIO AIA WILL PRESENT PLAN.
MARIO WAS SENT PLAN DIRECTLY UNDER
SEPARATE COVER.
TO USE FOR BOARD & ARE FOR STAMPING &
RETURN TO OWNER.

COPY TO _____

SIGNED: SCOTT KARTIGANER

9/24/97
"Public Hearing" 97-28

No public present

Preliminary Engineering Cost Estimate for Squire Village Improvements 9/29/97
 Prepared by Scott Kartiganer, P.E.

Description of Item	Quantity	Units	Unit Cost	Total Cost
1. Soil Erosion Control				
A. Silt Fence	600.00	lf	3.50	2,100.00
Subtotal				\$ 2,100.00
2. Site Preparation				
A. Site Clearing	0.80	ac	2,500.00	2,000.00
Subtotal				\$ 2,000.00
3. Earthwork				
A.Stripping & Stockpiling of topsoil	2,700.00	cy	2.50	6,750.00
B. Cut to Grade	1,000.00	cy	2.75	2,750.00
C. Fine Grading	0.80	ac	2,500.00	2,000.00
Subtotal				\$ 11,500.00
4. Site Improvements				
A.Concrete Curb	2,650.00	lf	13.00	34,450.00
B.Concrete Sidewalk	1,300.00	sf	5.00	6,500.00
C.Pavement Resurface 2"	18,155.00	sy	6.00	108,930.00
D.New Pavement	3,929.00	sy	12.50	49,112.50
E. Parking Lot Striping	407.00	ea stall	15.00	6,105.00
F. Stop bars	19.00	ea	50.00	950.00
G. Arrows	18.00	ea	30.00	540.00
H. Fire striping	850.00	lf	10.00	8,500.00
Subtotal				\$ 215,087.50
5. Storm drainage				
A. New Catch Basins	1.00	ea	850.00	850.00
B. Reset CBs	2.00	ea	400.00	800.00
Subtotal				\$ 1,650.00
6. Landscaping				
A. Major Trees	49.00	ea	200.00	9,800.00
B.Island Landscaping	10.00	ea	550.00	5,500.00
C.Topsoil, Seeding & Mulch	3,500.00	cy	1.00	3,500.00
Subtotal				\$ 18,800.00
7. Site Lighting				
A.Pole Foundations(24" dia)	17.00	ea	500.00	8,500.00
B.Light Poles 30' w/400 Watt Luminare	17.00	ea	3,000.00	51,000.00
C. Underground Feeder Cable	2,400.00	lf	10.00	24,000.00
Subtotal				\$ 83,500.00
Total				\$ 334,637.50

Public Hearing

RESULTS OF P.E. MEETING

DATE: September 24, 1977

PROJECT NAME: Square Theater PROJECT NUMBER 97-28

LEAD AGENCY: * NEGATIVE DEC:

M) S) VOTE: A N M) 5 S) 11 VOTE: A 3 N 0

CARRIED: YES NO * CARRIED: YES: YES NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.E.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) 11 S) 5 VOTE: A 3 N 0 APPR. CONDITIONALLY: 9/24/77

NEED NEW PLANS: YES YES NO

DISCUSSION/APPROVAL CONDITIONS:

No public present for this project

Correct sq. footage for "Bar" in relation to parking calculations.

retail + seats

"Stop bar" on Union Ave.

Plan

PUBLIC HEARING

SQUIRE VILLAGE THEATER SITE PLAN (97-28) QUASSAICK AVENUE

Mr. Scott Kartiganer appeared before the board for this proposal.

MR. PETRO: This application proposes the conversion of the former retail market at the west of the site to the movie theater. This plan was previously reviewed at the 13 August 1997 and 27 August 1997 planning board meetings. This application is before the board for a public hearing of this meeting. Proceed.

MR. KARTIGANER: We have done all the mailings to all the appropriate people. The project just to reiterate again is a movie theater, we're converting a movie theater into a 19,400 square foot space. It's a conversion of an existing grocery store. There's a slight addition of approximately a couple thousand square feet on the rear of the building. We're rehabbing the entire shopping center infrastructure, the parking areas, the parking spaces, the curbing, the landscaping and the lighting, all those items we have reviewed several times on technical aspects. All in all, it's the entrances and exits to the facility are going to remain basically the same. We're just cleaning them up, making better curb cuts, entrances into the site. All in all, we think it's going to be a great improvement to the existing shopping center.

MR. PETRO: What we're going to do is we're going over this Squire Village Shopping Center site plan and even though this is a public hearing, the board is going to review it first, then we'll open it up to the public. Mark, why don't we touch base on this parking on the overlap some of your comments but your third paragraph let's not get into that yet, let's leave that for a minute. What do you feel that the plan is lacking, where, in what respect?

MR. EDSALL: We had discussed at the last meeting that all the uses in the complex were not reflected in the parking calculation and we had requested I believe at

the last meeting and we might even have discussed it briefly at the August meeting that we needed to have all the parking information on the table available such that the board can consider it for your determination under Section 4816 Paragraph 7. Obviously, unless you know how many spaces are required for all the uses and you know the relative period of time when they are used, it's difficult for you to make that determination and the plan we did not receive any resubmitted plan as requested.

MR. KARTIGANER: I believe on that last plan we did make that change, this is one that is just a colored rendering that we did for the site plan.

MR. EDSALL: I didn't get a new plan, Mr. Chairman.

MR. STENT: Do you have the plans we have in front of us, Mark?

MR. EDSALL: I assume, Myra, did we get any new plans since the last meeting?

MS. MASON: The ones that I have here are August 22.

MR. EDSALL: Okay, well, the 27th of August meeting is when we had noted, matter of fact, it was Mike Babcock who at least pointed out one use that he knew wasn't shown on the plan.

MR. PETRO: Which one is that?

MR. BABCOCK: They mentioned there is a bar area there.

MR. LUCAS: We discussed that I know we did because we were worried about the extra spaces at that meeting and we felt that it was, I thought we felt it was a concern because he had added the extra parking spots.

MR. EDSALL: The difficulty comes Mr. Chairman that they don't have the number of parking spaces that are required by code, they are looking for you to make a determination for that overlapping use.

MR. PETRO: I thought we did that last meeting.

MR. EDSALL: We asked for the table to be complete. Unfortunately, the board can do as it wishes, but I don't believe you have a complete submittal.

MR. STENT: What's missing on the table is the bar area you have the restaurant, the office and the banking center there's a bar there.

MR. KARTIGANER: Yeah, it's what 1,500 square feet that bar?

MR. ANGELOTTI: 4,500.

MR. PETRO: Well, listen, you know we have the number of spots that are there, I mean they are there, we're not going to change that, it's fully loaded with spots, these are all 9 foot spots, they are going to be restriped as 9 foot by 19.

MR. KARTIGANER: They are going to be, we had the plans, they are going to be 20 foot long at least lengths of them are 9 foot wide.

MR. PETRO: So you picked up ten percent there as much as possible, I see that you did locate all the stop striping stop bars or stopped striping, yeah. Mark, other than that other comment as far as the parking layout, everything else seemed to be up to par, correct?

MR. EDSALL: Other than the one minor change in adding a stop bar which was extremely minor, the big issue in my mind is the fact that I don't know that you have complete information to make a decision under the code effectively you'll be guessing at the numbers which I don't know.

MR. PETRO: Well, he's telling us or someone is, Mike, are you telling us the only one that has been omitted is the bar?

MR. KARTIGANER: We have the square footage, we included that as part of the net retail area one space per 150 square feet.

MR. PETRO: It's in the total net number.

MR. KARTIGANER: Right, I have the overall square footage, it's use, just the use we had it called as a retail as opposed to a bar use.

MR. PETRO: How many spots are we going to differ, in other words, retail is one for 150 and bar is one for every three seats, what's the difference there, how many spots are we talking about?

MR. EDSALL: All depends how many sets that which we don't know.

MR. BABCOCK: The reason we wanted to bring this up was mainly because it's the overlapping of the parking in a retail store, it would be basically open from 9 to 5, the bar may be open at the same time as the they are, so we just want to bring it to the board's attention and like you said, I agree with you, there's no more room for parking spaces on this complex, what's there is there and that is it.

MR. PETRO: Nothing is going to change no matter what we say or do, just keep that in mind.

MR. BABCOCK: We can't increase the parking, the parking is there.

MR. STENT: Even with the bar area being open at night, you're calling for nighttime use of 407, you're talking for a total required being used of 340 so we're still--

MR. BABCOCK: Yeah, we just wanted to make sure the board understands.

MR. PETRO: If you take the square footage which they have already calculated in so how much square footage is the bar area?

MR. KARTIGANER: 4,500.

MR. PETRO: Divided by 150 is how much, 30 spots that would allow them 90 seats on the same calculation, you

think there's more than the 90 seats in the bar, I doubt it.

MR. LUCAS: That doesn't operate other than on a weekend.

MR. KRIEGER: Presently, Thursday, Friday, Saturday, Sunday with very little--

MR. PETRO: The point is the right point anyway, the calculation at 150 is not going to exceed or the seating is not going to exceed the other calculation anyway, there's not 90 seats in that 4,500 square foot bar, I would like to see that, you know, and I'm sure that is not possible.

MR. LUCAS: The other thing like I said you can't increase the parking anymore.

MR. PETRO: Mark is correct in bringing it up that we need to make a judgment in using that, but I'm sort of backing into it, if you follow what I am doing, I don't believe that it's going to change any because it's not going to supersede the 150 square foot anyway that he did calculate.

MR. BABCOCK: Right.

MR. PETRO: So I think it becomes a non-significant point. Does anybody want to talk about anything other than the parking? Open it up to the public.

MR. STENT: Clear up the drainage problems.

MR. PETRO: We'll get back to that, see if any public.

MR. STENT: Motion we open it up to the public.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board open up the public hearing for the Squire Village Center site plan on Route 94 and Union Avenue. On September 11, 1997, 12 addressed envelopes containing the attached notice of public

hearing did go out sworn to me this 11th day of September, 1997, Deborah Green, notary public. Okay, at this time, if there's anyone in the audience that would like to speak on behalf of this application. Please step forward, state your name and address and any of your concerns. Is there anyone here that would like to speak on behalf of the Squire Village Center site plan? I see no one here.

MR. STENT: Move we close the public hearing.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Squire Village Center site plan on Route 94 and Union Avenue.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: And obviously, Fran, let the minutes show that no one showed up for the public hearing. Did this go to zoning board at all for anything?

MR. KRIEGER: It's in the process of being before the zoning board for a sign.

MR. PETRO: But there hasn't been a public hearing?

MR. KRIEGER: Not yet.

MR. STENT: Didn't we agree to pull the sign out as far as site plan goes?

MR. BABCOCK: Yes.

MR. PETRO: We're not going to concern ourselves with the sign, it's being handled through the zoning board.

MR. KRIEGER: Yeah, the chairman just asked me if it was in front of the zoning board, I said for that

purpose.

MR. LUCAS: Just quickly to clarify we're doing everything with all signs in town, right?

MR. PETRO: Well, lot of the sign ordinance has been changed in the town, they have been made larger. Other than that, I don't know of any other action right now.

MR. LUCAS: But we're doing the change in this sign because it's, because they are adding to the sign?

MR. PETRO: I think the old sign was oversized.

MR. BABCOCK: Yes.

MR. PETRO: They are going to conform to the new law, even though it is larger than it was a year or two ago. All right, back to the drainage. I had asked two or three times about the culverts, why don't you just bring me up to date on that so I know it's been done. The culvert sizes, I'm sure you did not go down in the culvert, dig it out and look through the pipe, nobody's done that. They are working now?

MR. KARTIGANER: We took a look, other than jackhammering the things out, some of the things are packed in pretty well. Where we left at the last meeting is that there's no existing drainage problem on the site, even with the plugged drains and everything else. Part of the project is we're calling for the drains to be pressure washed, cleaned, obviously up to the best of the ability of what can be done for those lines. The overall drainage of the site comes here to a, to the property, the adjacent property which is also owned by the owner of the entire complex, drains across here, this area of the site, drains sheet flow across the site. This is an area here, it is collected all in a culvert, the number of drainage lines coming out to an open, coming out to a catch basin over here which outlets into a stream that goes off the site.

MR. PETRO: Okay, lighting, Mark, did you see any problem with the lighting?

MR. EDSALL: No, I think we have closed out that issue.

MR. PETRO: Motion to take lead agency under SEQRA process, we didn't do SEQRA process.

MR. STENT: Make a motion we declare negative dec under the SEQRA process.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec on this Squire Village Theater site plan on Route 94. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Mark, I'm just going to go over this issue one more time with this parking, you feel that I have kind of backed into that and satisfied your concern that it is not necessary? I know I'm putting you on the spot. Let me rephrase that. I will rephrase that. In other words, if we have the 4,500 square feet, I have got to give him something he can live with.

MR. EDSALL: It's not a matter of living with, Mr. Chairman, I think the code is clear and I think the requirement of an applicant to put proper information on the record is clear and I'm just, my comments are in the file.

MR. BABCOCK: I think the plan can be corrected.

MR. PETRO: You can add the 4,500 square foot as is it a bar, is that what it is, a night club?

MR. EDSALL: Yeah.

MR. PETRO: Just put it in properly subject to, you have the square footage in properly, you just have to

name what it is.

MR. KARTIGANER: That's right.

MR. PETRO: So you have to add that to the plan. This has been before us, this is the third time and we have had a public hearing and this particular site to me I have lived here all my life has been an eyesore for quite a while and I happen to see something being done with it, we need more of this in the town. And I don't want to hold this up any further, unless any of the other members have any strong input, I'd like to have a motion for final approval.

MR. LUCAS: Make a motion we grant final approval.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Squire Village Theater site plan on Route 94. Is there any further comments from the board members?

MR. STENT: Do we have to add to that?

MR. PETRO: One subject to of adding the use of the 4,500 square foot to the plan and that would if you could I'd like to show the 2 different ways of calculating the parking, the 150 square foot for the retail as you did and then find out how many seats and show us on the plan the actual number of seats, follow me?

MR. KARTIGANER: Okay.

MR. PETRO: I'm sure it's not going to exceed the spots that we're allowing under the 150 foot rule.

MR. KARTIGANER: I will call it use for night club will be one for every three seats.

MR. PETRO: I have both numbers and the totals.

MR. KRIEGER: It is possible in the future it may not continue to be used as a night club.

MR. PETRO: Mark, do you feel comfortable with that?

MR. EDSALL: I'm comfortable with whatever the board decides.

MR. BABCOCK: The stop bar over on Union Avenue just put it on there.

MR. PETRO: Andy, I know that you are a tenant here and you manage some of this, you have no interest in this particular site whatsoever, is that correct?

MR. KRIEGER: Yes, that is correct.

MR. STENT: One more thing, Jim, is there supposed to be a stop bar on the other side coming in from Union Avenue?

MR. KARTIGANER: Yes.

MR. BABCOCK: That is the one we asked them to add.

MR. PETRO: Motion's before the floor. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Mr. Kartiganer, you have to realize that the site plan bond estimate is going to be a requirement, you have to take care of that with the planning board and the town engineer.

MR. KARTIGANER: I will go over the numbers tomorrow.

MR. PETRO: Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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- ☐ **Main Office**
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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: SQUIRE VILLAGE SHOPPING CENTER SITE PLAN
(SITE IMPROVEMENTS FOR DESTINA THEATERS)
PROJECT LOCATION: NYS ROUTE 94 AND UNION AVENUE
PROJECT NUMBER: 97-28
DATE: 24 SEPTEMBER 1997
DESCRIPTION: THE APPLICATION PROPOSES THE CONVERSION OF THE FORMER RETAIL MARKET AT THE WEST OF THE SITE TO A MOVIE THEATER. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 13 AUGUST 1997 AND 27 AUGUST 1997 PLANNING BOARD MEETINGS. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. As previously indicated, the site is located within the "NC" Zoning District of the Town. The theater use is a Use By Right and the "required" bulk information appears correct.
2. At the 27 August 1997 Planning Board meeting, the Applicant was requested to correct the plan to make a minor site plan correction and expand the parking requirements table to include all uses at the existing site. No new plan has been submitted for this meeting and Public Hearing.

Based on same, it is my opinion that the plan being reviewed is not accurate and fully informative. Further, it is necessary that all the parking information be on record, such that the Board can consider the "overlapping" uses and "shared" parking as per the Town Zoning Code Section 48-16(7).

Such that a correct plan can be available for public review and the Board's necessary determinations, it may be appropriate that the Public Hearing be continued to the next meeting, at which time a corrected plan can be reviewed. The Board may wish to discuss this possible action with the Planning Board Attorney.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

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DATE: 24 SEPTEMBER 1997

3. At subsequent meetings, the Planning Board will need to consider a Determination of Significance under SEQRA, require a site plan Bond Estimate and review any other issues appropriate based on the Public Hearing and Board review.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:SQUIRE3.mk

PLANNING BOARD : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

-----x
In the Matter of Application for Site Plan/Subdivision of
Squire Village Shopping Center - Theater
Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

-----x
STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age
and reside at ~~350~~⁶⁷ Bethlehem Road, New Windsor, NY 12553.

On September 11, 1997, I compared the 12 addressed
envelopes containing the attached Notice of Public Hearing with
the certified list provided by the Assessor regarding the above
application for Site Plan/Subdivision and I find that the
addressees are identical to the list received. I then mailed the
envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

Sworn to before me this
11th day of September, 1997

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1999

AFFIMAIL.PLB - DISC#1 P.B.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on

24 SEPTEMBER 1997 at 7:30 P.M. on the approval of the proposed SQUIRE VILLAGE SHOPPING CENTER
SIDE IMPROVEMENTS FOR DESTINATA (Subdivision of Lands)*

THEATERS
(Site Plan)* OF PARCEL SECTION 23 BLOCK 1 LOTS 53.1 & 3
located @ CORNER OF QUASSAICK AVE. & UNION AVE.

Map of the (Subdivision of Lands)(Site Plan)* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: 5 SEPTEMBER 1997

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

Haralambos Kostopoulos
% Chevron Auto Repair
267 N. Main Street
Spring Valley, N. Y. 10977 ✓

Franklin Associates
% Office of the Undersigned
1 Garret Mountain Plaza, 8th Floor
West Paterson, N. J. 07424 ✓

Michael A. & Rosemarie Callan
76 Union Avenue
New Windsor, N. Y. 12553 ✓

Salvador & Irene Maria Paratore
640 Corwin Avenue
Glendale, CA 91206 ✓

Cathy D. McQuiston
82 Union Avenue
New Windsor, N. Y. 12553 ✓

Newburgh Woodlawn Cemetery Assoc.
93 Union Avenue
New Windsor, N. Y. 12553 ✓

Squire Village Board of Directors
% Emerald Management
P.O. Box 268, 2299 Route 9N
Fishkill, N. Y. 12524 ✓

7 Above Names

5 officials + Reps

12 Envelopes Mailed

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Dated: 5 SEPTEMBER 1997

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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REVIEW COMMENTS**

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(SITE IMPROVEMENTS FOR DESTINA THEATERS)
PROJECT LOCATION: NYS ROUTE 94 AND UNION AVENUE
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FORMER RETAIL MARKET AT THE WEST OF THE SITE TO
A MOVIE THEATER. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 13 AUGUST 1997 PLANNING BOARD
MEETING.

1. As previously indicated, this site is located within the "NC" Zoning District of the Town. The theater use is a Use By Right and the "required" bulk information appears correct.
2. My comments with regard to this latest plan are as follows:
 - a. An additional stop bar should be added to the north side lane interior at the Union Avenue curb cut.
 - b. The parking table should be verified as complete, as same would not appear to include the bar use discussed at the previous meeting.
 - c. The Planning Board must make a finding relative to Code Section 48-16(7) which deals with "overlapping" uses and shared parking. This finding/determination should be in form of a formal motion.
3. The Board should note that several items have been added to the plan, including, a note regarding soil erosion control, a note regarding lighting, modification of the notes for the two (2) existing signs, as well as the stop bars requested by the Board. The Board may wish to review, with the Applicant's Engineer, any other changes which may have occurred. As well, the status of the drainage questions could be discussed.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

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PROJECT LOCATION: NYS ROUTE 94 AND UNION AVENUE
PROJECT NUMBER: 97-28
DATE: 27 AUGUST 1997

4. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
5. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
6. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
7. The Planning Board should require that a **bond** estimate be submitted for this **Site Plan** in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
8. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:SQUIRE2.mk

RESULTS OF P.B. MEETING

DATE: August 31, 1997

PROJECT NAME: Squire Village Center PROJECT NUMBER 97-28

LEAD AGENCY: _____ * NEGATIVE DEC: _____

M) _____ S) _____ VOTE: A _____ N _____ * M) _____ S) _____ VOTE: A _____ N _____

CARRIED: YES _____ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) Q S) LN VOTE: A 4 N 0

WAIVED: YES _____ NO ✓ Schedule P.H.

SEND TO OR. CO. PLANNING: M) _____ S) _____ VOTE: A _____ N _____ YES _____ NO _____

SEND TO DEPT. OF TRANSPORT: M) _____ S) _____ VOTE: A _____ N _____ YES _____ NO _____

DISAPP: REFER TO Z.B.A.: M) _____ S) _____ VOTE: A _____ N _____ YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) _____ S) _____ VOTE: A _____ N _____ APPROVED: _____

M) _____ S) _____ VOTE: A _____ N _____ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

address Mark's comments of 8-27-97

factory permit + demolition permit to be issued now

SQUIRE VILLAGE COMMERCIAL CENTER (97-28) Rt. 94

Scott Kartiganer appeared before the board for this proposal.

MR. PETRO: You also have some of the principals with you, Mr. Kartiganer?

MR. KARTIGANER: That's true.

MR. ANGELOTTI: Joe Angelotti

MR. VERGARA: Mario Vergara.

MR. PETRO: This is your second meeting.

MR. KARTIGANER: Yes, second meeting. We've already gone to two workshops. There is two minor items that needed to be resolved -- several minor items I think we resolved with Mark. Putting the stop bars --

MR. LANDER: Just turn that around a little bit.

MR. KARTIGANER: Just clarifying some of the striping, putting the stop bars in as was requested, clarifying some of the landscaping on the island. We just did it for representative areas putting the plant lists on the location, we put some trees, mostly trees, and low shrubs on the island. And I did go over the lighting schedule and the curbs with Mark at the meeting. And those were basically just the outstanding items.

MR. PETRO: Did you get a copy of Mark's outstanding comments?

MR. KARTIGANER: No, I haven't received them.

MR. PETRO: Why don't you get a copy of those. Most of it is house -- just normal procedure items, but there is a couple things here. I had asked about drainage the last time you were here.

MR. KARTIGANER: Yes.

MR. PETRO: Do you want to go over that briefly. My concern was, obviously, where it was going, but if the catch basins that are in place and the piping that's in place is going to be able to take the amount of water now generated by the slightly larger building. I guess there is some blacktop added, correct? So you'll have

more impervious ground.

MR. KARTIGANER: Right, but this whole area, the area that's serviced by the catch basins and the storm drain systems is primarily the area that is on the front western side of the building. And this carries -- all the drainage moves over to the rear of the building and to this rear property which is also -- the property that is over here where we have added some more pavement is all sheet flow anyway. All the sheet flow in this -- all the water in this area is drained by sheet flow over this area.

MR. PETRO: Okay.

MR. KARTIGANER: What we've done is not -- currently the parking as it exists now, the parking lot does not have a curbing in this area and we've done the same thing. We've left this as all open pavement just extended it out slightly so that the water will drain off the parking lot.

MR. PETRO: The water main piping that's going out to the -- it looks like to the east I guess, you see there, the dotted line going out there.

MR. LANDER: To the east.

MR. PETRO: Has anyone checked that pipe? Now, this place has been there for 30 years that I know of.

MR. KARTIGANER: This pipe right here?

MR. PETRO: Yes. Have any of these pipes been looked at or checked out and are they functioning? I mean they are draining a large portion in the front.

MR. KARTIGANER: All the drains, a lot of these catch basins are all filled. They -- one of the things that we are doing in this project is cleaning the catch basins, cleaning the coverts, doing a thorough cleaning of the existing system. As far as drainage of how the property is handling the existing drainage, right now, currently, there is not an excessive drainage problem there.

MR. PETRO: Andy, your office is there.

MR. KREIGER: Yes.

MR. PETRO: And I know that you want to mention that you're caretaker of the property.

MR. KREIGER: Yes, so I have an interest.

MR. PETRO: I would like to ask you being that you are a tenant of this site, how is the drainage at this time? Is there -- if there is a heavy downpour, is there a pond anywhere?

MR. KREIGER: No, there doesn't appear to be a problem anywhere.

MR. LUCAS: The front still does sheet to Quassaick Avenue?

MR. KARTIGANER: No, what happens is the front sheet, there is -- it contours here, there is a catch basin here. There's three catch basins here in the front of the property so that from Quassaick Avenue some of the -- it mostly goes into a basin and comes into these three catch basins which indicates that it's working in some form or manner. I think it should work quite good.

MR. LUCAS: I've never seen a problem in that parking lot. The other thing that main line that goes, that handles the cemetery and there's a great volume of water that runs down through where Dugan use to live and that runs pretty clear.

MR. PETRO: If you remember, I think I had asked them to clear one of those basins because I think back where that dumpster is, back in that area, it's clearing, it's taking all that water, too, obviously.

MR. KARTIGANER: Right.

MR. PETRO: But you didn't actually go into a basin and see if the pipes are half full or full?

MR. KARTIGANER: They're full.

MR. PETRO: The pipes I'm talking about.

MR. KARTIGANER: The pipes themselves are actually -- a lot of these catch basins are 100 percent full some of these are 80 percent full. It totally clears the whole site all of the drainage is there.

MR. PETRO: Do you plan on cleaning these out?

MR. KARTIGANER: Absolutely.

MR. PETRO: You say that you're going to do it. How do we enforce that?

MR. LANDER: Well, Mr. Chairman, I don't think the applicant's going to let water pond especially if you're going to do all this work to upgrade the property and then not address the drainage that they already have. I think our question is: Where does this water -- where is the outlet for this water? Where does this water go to? It shows me on the plan here it goes to the catch basin on the east side, but from there where does it go? I don't have the faintest idea. But I think they just under good housekeeping they would have to clean all those and make sure those catch basins work.

MR. PETRO: The catch basins, I agree with you, Ron. The thing is the piping, itself.

MR. LANDER: Where does that water go afterward? Mr. Chairman, I wouldn't have a problem if that water sat right between these -- it's not going anywhere if those catch basins and pipes are not taken care of. My thing is, where does the water end up after it leaves this property? Now, with these catch basins clean, pipes cleaned out, now you've got a bigger volume of water going through that pipe. Before maybe the ground absorbed a lot of it, I don't know. But my thing is, where does it go after that, Scott? Where does it go.

MR. LUCAS: It goes into a stream that runs down to the back of the piece of property and then it goes underneath Union Avenue just before the church and it goes down --

MR. LANDER: Isn't there a house right next to this property? You're going to add on this parking lot here. I know they own this and then there's a residence --

MR. KARTIGANER: That property is also owned by Mr. --

MR. LANDER: If you would like, Mr. Chairman, we could always take a field visit and see where this thing ends up. But my point is, like I said before, that water could pond on that property all it wants, I'm just concerned where does it go after it leaves that

property.

MR. PETRO: I think we should have both concerns. Because when the applicant finds out how much it's going to cost to snake out some of those pipes, it might not happen and then it will pond and you're going to have ice and you're going to have real problems.

MR. KARTIGANER: We could codify and put it in the plan. It's in the specifications for doing the project and the applicant's developers have put in several hundred dollars worth of brand new lights and not just coloring up the pavement but brand new pavement.

MR. LANDER: Maybe we could just make a note on the plan --

MR. BABCOCK: Mr. Chairman, if you want to make it a condition of final approval that when we go out to do our site inspection we make sure that they're clean and running. He went on record saying that that's his intention to do that.

MR. VERGARA: Mr. Chairman, just so I can go on the record and say we're definitely intending to take care of all the catch basins and go in to evaluate the pipes, but to be very honest, there is not a drainage problem right now and based on the type of surface that we're dealing with here, to play devil's advocate, if it comes back and we're looking at a number that makes no sense just so everybody sleeps better at night. I mean, we want to do the right thing to protect our investment but we also want to understand exactly what we're signing up to do.

MR. PETRO: My point simply is if the catch basins are full, which they are, and you go in and shovel them out, you go in and get a laborer down there and you clean them out and you give him \$200 for the day and he's all done, all the catch basins are empty and they take about 200 gallons of water and that's the end of it because the pipes are all clogged. To me it makes no sense. And it's easy to say we cleaned out the catch basins and that's the end of it.

MR. VERGARA: I just don't understand the fact that there's not a ponding issue right now.

MR. PETRO: That's fine. Then if it's not an issue, I'm not making it an issue. I'm saying if it becomes

an issue, I want to have some recourse to have it cleaned up. And Mike just said we're going to have -- it's in the minutes now, we've spoken about it and it will be an issue. I don't know how to handle -- we've handled it through the building department to make sure that doesn't happen.

MR. VERGARA: Do you think we can do some evaluation work on it and see, prior to making it a condition that it must happen, that we can kind of see how the site develops before we have to go in and potentially snake out pipe after pipe after pipe?

MR. PETRO: Well, if there's not a problem, --

MR. VERGARA: I want to be forthright to this board but I don't want to commit to something that I have no concept of right now.

MR. STENT: You're not asking him to commit to something.

MR. PETRO: I'm not asking you to commit. If it becomes a major problem, then we're going to ask you to address it at that time.

MR. VERGARA: Okay.

MR. PETRO: Any other subject other than drainage?

MR. LANDER: Well, stop bars are on here, Mr. Chairman. The handicapped accessibility is here.

MR. STENT: Mark is addressing one on the north side, the stop bar.

MR. EDSSELL: Yeah, as you come in the Union Avenue entrance, Scott, on the right, across the line there.

MR. KARTIGANER: Yup.

MR. EDSSELL: Add one there.

MR. KARTIGANER: Right here?

MR. EDSSELL: I can't see.

MR. KARTIGANER: This one here?

MR. EDSSELL: Yes. Other than that, I think the layout

is great.

MR. PETRO: Mark, that little addition in the rear, once again, just for the minutes and my own education here, that doesn't compromise any of the setbacks needed on the property. I know it's very minor in nature.

MR. EDSSELL: No, it's no problem.

MR. LANDER: Scott, one other thing. On the entrance and exit onto Union Avenue, we'll make that curb mountable on both sides so that --

MR. KARTIGANER: This curb that's on both sides of the curb?

MR. LANDER: No, the island in the middle.

MR. KARTIGANER: The island in the middle is a painted island.

MR. LANDER: Oh, it's painted.

MR. KARTIGANER: It will be painted.

MR. LANDER: Do you think that's going to be sufficient there, a painted island?

MR. KARTIGANER: It's actually a request of Mark and I think it's not a bad idea. They'll have to maintain it.

MR. LANDER: Whether people pay attention to it or not.

MR. KARTIGANER: Whether people pay attention. This is a heavier painted stripe.

MR. PETRO: Well, we have a note here from the Water Department. It says, "There is Town water service to this property. Please contact the Water Department for any change in service in the line." On 8/26/97 we have fire approval. On 8/26/97 we have water approval. And on 8/11/97 we have highway approval.

MR. DUBALDI: I make a motion we declare ourselves lead agency under the SEQRA process.

MR. STENT: Second.

MR. PETRO: We had already taken lead agency at the 8/13/97 meeting.

MR. DUBALDI: I withdraw my motion.

MR. PETRO: You withdraw the motion. What we need to do is discuss the public hearing. This zone is?

MR. KARTIGANER: NC.

MR. PETRO: NC zone. What surrounds it? Obviously, we have Squire Village.

MR. LUCAS: The cemetery across the street.

MR. LANDER: Old Squire Village.

MR. LUCAS: A gas station.

MR. PETRO: On the north side you have a few homes.

MR. KARTIGANER: Gas station and a few homes on the north side.

MR. LUCAS: On the other side of the street on the corner is a --

MR. KARTIGANER: There is a gas station right here, several homes.

MR. PETRO: Well, you know, I look at it as an improvement, obviously. This thing has been an eyesore for 30 years.

MR. LUCAS: And what they're doing other than that addition is cosmetic. Basically, they're enhancing the whole place.

MR. KARTIGANER: We added some landscaping to try to make some more screening in the front.

MR. PETRO: We are going to have a lot more business there also and I think we have a lot of people that live in Squire Village and you do have the other homes.

MR. LANDER: Scott, you do have enough parking here? Do you need a variance for any parking?

MR. KARTIGANER: No.

MR. PETRO: We've got to talk about that overlap parking, Ron. That's the reason it's working. Very similar to -- you know, the bank's going to use it a certain number of hours and theater is using it at night so you share that parking.

MR. KARTIGANER: Well, we've done that also. We went to the nine foot wide parking which increases the number of parking spaces.

MR. PETRO: How many spaces would you be short without the overlap idea working? Mark, do you know the answer to that?

MR. EDSELL: One of my comments is that I don't believe they have included all the uses because at the last meeting I believe Mike pointed out there was a bar at the site that isn't reflected in the table and that wasn't added into this plan either. So I don't know how many spaces would be required for that use.

MR. PETRO: But approximately? I mean, you're within a reasonable number.

MR. KARTIGANER: If everybody was using it, with just the numbers I have without the bar I used that as I think retail, the total number of spaces would be close to 534.

MR. EDSELL: That's the same number I get plus the bar.

MR. PETRO: Provided?

MR. KARTIGANER: Provided.

MR. PETRO: How many have been provided?

MR. KARTIGANER: 407.

MR. PETRO: 407. So you're within about 20 percent of what it would be without the -- in other words, every store would have to be open at the same time, every theater would have to be full, the bank would have to be operating all at 10 o'clock at night.

MR. KARTIGANER: That's correct.

MR. PETRO: Which we know doesn't occur. I want to get back to the public hearing idea. If I lived in Squire Village, I'm not a big -- with the public hearings I

like to go pass them if we can, but if I lived in and had an apartment in Squire Village and all of a sudden we had eight movie houses next to me and I had every night there was 300 cars in there where now there is none, I'd say what in the hell is going on here, and I'd say, well, call the Town Hall and find out. And then when I found out there wasn't a public hearing, I would kind of be a little annoyed.

MR. LANDER: I think we should have a public hearing.

MR. PETRO: I would have to agree with you.

MR. LANDER: Only because of the magnitude of the project.

MR. PETRO: You're really doing a great thing here. We're talking about the old A & P down here in New Windsor for the people in the audience.

MR. LANDER: We don't want another Price Chopper here. You know what I'm saying, that the thing that went on with Price Chopper? They said, well, you didn't have this, you didn't have that, you need another variance for the parking lot. They didn't change anything. This is the point I'm making, let's not have a repeat.

MR. PETRO: It's going to be a very busy center, not like it is now. So when there is a big change like that, the supervisor's office is going to get phone call after phone call, so let's head it off at the pass, have a public hearing. I can't imagine somebody saying they don't like this compared to what's there now. It's a matter of procedure. So with that, let's have a motion for a public hearing.

MR. DUBALDI: So moved, Mr. Chairman.

MR. LANDER: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor planning board have a public hearing for the Squire Village Shopping Center Site Plan on Route 94. Is there any further discussion from the board members? Now is the time Mike.

MR. LUCAS: First thing, I don't think we need a public hearing. We're just enhancing the building, we're cleaning up the parking lot. We're not adding anything to the structure other than that little addition in the

back.

MR. STENT: What are you looking for in construction, another month?

MR. VERGARA: We're looking to open 12/12, to start demo work in the next 10 days.

MR. LUCAS: Well, you wouldn't get here for another two weeks.

MR. PETRO: Well, Mike, can't they do some demo work inside the building through the building department?

MR. BABCOCK: Typically, if the board has no problem with it, sure.

MR. PETRO: I don't see why there should be a problem with the site plan. So maybe you can get a demo permit and do the work inside.

MR. VERGARA: How about a footings permit, as well?

MR. BABCOCK: It's up to the board.

MR. PETRO: You mean for the rear addition? I agree with what Mike was saying, it's just, again, it's such a magnitude, I think the right procedure is to have a public hearing. I'm one member. I don't have a problem with the demolition inside the building, I could care what you do in there. As far as the small addition in rear, I can't imagine a person objecting to that. So if the building inspector would like to give a footings permit, you can just go that far. We'll get you on the next agenda for a public hearing. I don't see it as a problem.

MR. KREIGER: Mr. Chairman, as speaking now as a tenant in the premises, they should also be given permission for whatever they want to do to the surface of the parking lot. So if they want to pave or blacktop, they should be allowed to go ahead. That doesn't change anything.

MR. PETRO: We have a motion before the board to hold a public hearing. Mike has spoke his piece in the discussion. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI: AYE
MR. STENT: AYE
MR. LANDER: AYE
MR. LUCAS: NAY
MR. PETRO: AYE

MR. PETRO: With that you'll set up the public hearing with Myra. You'll be put on the next agenda once all the paperwork has been done.

MR. KARTIGANER: Are we going to --

MR. PETRO: You're going to have a lot of letters to send out.

MR. KARTIGANER: A lot of letters.

MR. PETRO: The good part of it is it no longer needs to be certified. You can do it just regular mail. You go before Deborah Green or Dottie Hanson or Myra and they notarize it that it was mailed.

MS. MASON: No, I have to mail them.

MR. PETRO: You have to mail them, okay.

MS. MASON: Just bring the envelopes to me and I mail them.

MR. PETRO: But it still has to be notarized that they went out?

MS. MASON: Yeah, but it has to be notarized that I sent them out.

MR. PETRO: Okay. Anyway -- believe me, it's a big deal because if you had to send 1,700 certified letters out, it's a problem.

MR. EDSELL: Scott, on the plan that you have in for the public hearing, make sure that you verify that you covered all the parking so that when the board -- I assume they're going to look into giving you this shared-used approval, make sure they have the right numbers.

MR. PETRO: Anything else on concept of the plan? Just concept only. Ed?

MR. STENT: No.

MR. PETRO: Mark?

MR. EDSELL: No.

MR. PETRO: Ron or Mike? Anything else about the concept of the plan you want to discuss now?

MR. LANDER: No.

MR. LUCAS: It's a great plan.

MR. PETRO: Landscaping looks fine. Lighting looks fine.

MR. LUCAS: I mentioned about the security the last time when George called me in the office. It isn't basically our issue but I just wanted them to know that it is a concern.

MR. KARTIGANER: Okay.

MR. PETRO: Thank you.

SQUIRE VILLAGE COMMUNITY CENTER SITE PLAN AMENDMENT
(97-28) QUASSAICK AVENUE.

Mr. Scott Kartiganer appeared before the board for this proposal.

MR. KRIEGER: Mr. Chairman, for the record, I am employed by the owner of this property as the so-called manager of the existing shopping center, so I want to make my position clear to the board and if in passing for any reason in view of that, the board feels that they would be better served by advice from someone else then--

MR. PETRO: We'll play it by ear as it goes. So noted.

MR. LANDER: We don't like your answers, we'll let you know.

MR. KARTIGANER: Well, what we're doing is rehabbing existing shopping center.

MR. PETRO: Notice the confidence, what we're doing right off the bat. What would you like to do?

MR. KARTIGANER: We would like to rehab this existing Squire Village Shopping Center. What we're proposing to do is place a movie theater back, this was everybody recalls used to be a theater in this location over here, we're proposing to put an aplex movie theater in the location of the old Shop Rite, Grand Union I believe that was a shopping center.

MR. KRIEGER: It was an A & P and then it was a Foodtown.

MR. KARTIGANER: Old grocery area over here, we're taking that, rehabbing that into an aplex movie theater. For that, we're requiring the developer of the movie complex is here, wants to have the entire complex all rehabbed, what we'd be doing is putting in parking or we're rehabbing the parking, putting in some islands, putting in new lights, rehabbing the, all the curbing all on the perimeter, doing some landscaping. We're putting in, we're keeping the existing pretty

much we're going along the existing plan of what the shopping center looks like as far as entrances onto the existing roads, pre-existing entrance onto Union Avenue, three pre-existing entrances onto Quassaick.

MR. PETRO: No new curb cuts?

MR. KARTIGANER: No new curb cuts. The reason is we want to proceed as rapidly as possible, we're keeping the existing locations of the signage, all we're doing is rehabbing the signs being generally the same size as what's existing. The owner of the complex is Franklin Associates, the record applicant is Joe Angelotti is here, Mary Vasacchio (phonetic) is the architect on the project, just items that--

MR. PETRO: You're leasing the building, you're leasing the building?

MR. KARTIGANER: That is correct. We want to point out we have been to a workshop meeting and addressed several items. The only thing on this map that is different than the maps that you have is that at that time of that meeting, we didn't have all the topo on the drawing, we did have the site shots but we didn't have all the topo on the drawing.

MR. PETRO: Where is the drainage of the property now, is it all sheet flow or is there an interior?

MR. KARTIGANER: There's an interior drainage system that serves the front of the property. Right now, it drains away from the building and away from the road, collects in three catch basins in the front of the property. We don't know exactly where all the drainage goes because a lot of these drains and catch basins are all full of debris we're going to be rehabbing that, cleaning the existing drainage. It doesn't appear to be any severe problems with the drainage but we'll do whatever the existing drainage that is there we'll--

MR. PETRO: You're not adding any impervious area in any way, the roof is going to remain the same?

MR. KARTIGANER: Right.

MR. PETRO: And blacktopping is going to stay the same so you are not--

MR. KARTIGANER: We're adding some blacktop and where we're adding that right now there's a line that is shown on the drawing that shows the pre-existing condition sort of goes, it's not a real clear cut lines, there's another one that goes over here, this area is more wooded property over here, by the way, is Franklin Assocaite's property, it all drains towards this property over here. What we're doing is clarifying this whole site. There's some area that is in the back that is also a dirt drive that is, you know, full of debris and whatnot.

MR. PETRO: So it is possible you'll be picking up a little more water?

MR. LANDER: Well, they are adding on 24,000 square feet here.

MR. KARTIGANER: I put the calculations here, we're putting on approximately a third of an acre of impervious area, none of it is added to the in-ground system. The only place where we're basically adding it is over here on the rear of the property where what we have done is keep the general design here without putting in curbs and just keeping everything sheet flow which is right now that is how everything drains here, it's all sheet flow. That could be reduced somewhat by taking apart this area and I don't know if it came out as clearly on the blueprints as it does on this plan, but like this area here is where there's more pavement and this area here is where we would like to see it paved, this area over in the behind the form theater does not have to be paved but I would recommend it just from the pure aesthetics standpoint of the complex.

MR. PETRO: Want to come back to the drainage, want to think about some other things while I'm thinking about it, Mark, the addition to the existing building, is there any setback problems either with that?

MR. EDSALL: No.

MR. PETRO: So that is just strictly, looks minor in nature, how many square feet is the addition?

MR. KARTIGANER: Less than 2,000 square feet.

MR. PETRO: Reason for that?

MR. KARTIGANER: Just right now in the rear part of this area that we're putting in this addition that is over here, is loading docks, you know, old food storage loading docks and whatnot, just squares out the movie theaters are basically apexes, they are between 100 and 200 seats a piece and just squares out the actual--

MR. PETRO: But it doesn't infringe on any of the parking or right-of-ways or side yards?

MR. KARTIGANER: No, not at all.

MR. LUCAS: Former building, former theater you're going to make that into a theater, handicapped people there are going to be out?

MR. KARTIGANER: No, that will remain the same.

MR. LUCAS: You're just going to enhance the parking?

MR. KARTIGANER: Yes, we're going to enhance the parking cause what we have done with the parking I have a parking table that is on the right and what the bulk of the movie theater parking will be at, you know, during the evening hours with much less during the day when the rest of the people are there, some of these will be dual use considered dual use parking under the New Windsor Zoning. What I have done under Section 4816 so generally, the bulk of movie theaters' patrons really do nothing until after the 5 o'clock to 6 o'clock hour.

MR. PETRO: Now that we're talking about parking, I want to ask Mark a question on the theaters itself, I know there was some discussion of this, how did you come up with a parking calculation and how does it fit on the plan, number of seats?

MR. EDSALL: Yeah, their calculation shows on the right under the parking table how each of the uses they have calculated the parking requirements and they have gone one step further. Scott is indicating they are proposing to have the board consider it as overlapping uses where the uses would have a demand on different parts of the day which you have to make a formal decision on, but he's broken it down into daytime and nighttime uses and shown a total I guess we call peak demand and he's showing that he can meet that peak demand with the parking on the site. And I will note as I have stated in my comment 2 they have laid this out as 10 x 20 parking and we discussed at the workshop and Scott's in the process of revising the plan to have 9 x 19 so they'll pick up more spaces.

MR. PETRO: But what you're saying also is that if both uses on the site were at peak, there would not be enough parking according to regulations?

MR. KARTIGANER: Right, that is correct.

MR. PETRO: Did you also calculate that at the 9 x 19 is it still not inadequate?

MR. KARTIGANER: If we did the--

MR. PETRO: You're going to get ten percent more.

MR. KARTIGANER: If we did that at the total of 9 x 19, we would require 534 spaces and even at ten percent more we wouldn't reach that, no.

MR. PETRO: But that is at peak for both uses?

MR. KARTIGANER: Yeah.

MR. PETRO: Which would probably occur once in every, if ever.

MR. KARTIGANER: And I think what we have here is from a personal level and from a design level, we do have the adjoining parcel is owned by the owner of this parcel here and if in the future we see that the demand

goes up, you know, and of course I can't guarantee that to the board, we'd see something where it was constantly filled at all times, the parking can be expanded over onto that parcel. But on this particular site and the type of use for the retail and the commercial uses and the other portions of the building I don't think this is very likely in the future.

MR. PETRO: Refuse area not accessed from the front, only rear?

MR. KARTIGANER: That is from the rear, that is pre-existing, I put that on the plan because most probably that is where we're going to be, that is the easiest access.

MR. PETRO: But it is surrounded on three sides by building?

MR. KARTIGANER: That is correct.

MR. EDSALL: Just something that you should get into the record when you consider the overlapping uses and the shared parking, if in fact the board can determine in their mind that there is a demand for usage that occurs in different parts of the day, they have to recognize if the applicant, if the owner comes back and was looking to change another use on the site that would have a demand of similar time requirements as the theaters are, that is the time when you would say no, now this balance no longer works. So at this point we're dealing with it for the current uses, any change in use on the site would have to come back and if in fact there was a conflict at a time in the future that is when obviously you have another shot at reviewing it.

MR. PETRO: We do have fire approval on 8/12/97 and I guess highway doesn't need to review it. Mark?

MR. EDSALL: No, no review from highway.

MR. PETRO: Nothing's changed. Ron, you notice over here on the, I guess the south side all the parking he has all the concrete bumpers in there, if it's curbed.

You really don't need the bumpers, do we?

MR. KARTIGANER: There's a fence there now, right now that pretty much it's paved right up to this fence that is right there and we'd be just pretty much--

MR. PETRO: There's no curb?

MR. KARTIGANER: There's no curb, just pavement going right up to the fence.

MR. PETRO: Even the blacktop curb instead of all the bumpers, I don't know, I'm just throwing an idea out, it doesn't matter to me.

MR. LANDER: Well, Mr. Chairman, for snow removal purposes and stuff like that, they are always a pain, but he's got that fence to contend with and he's fairly close to that right now that is why he's got those bumpers in there.

MR. PETRO: Let's talk about curbing, I see all these, the heavier line, they are curbing?

MR. KARTIGANER: Right, double lines, it shows a little bit more clearly on my drawing, this would all be curbing, this all surrounded all the islands would be curbed, curbed in and area where these are smaller islands, really not appropriate to curb those, these will be just purely painted, painted, painted and also well delineate an exit out, I want to get this exiting onto Union Avenue as a clear cut entrance and exit, especially exit because we have a light over here on Union Avenue and 94 and if it's a Star Wars kind of night and everybody was there, this would be the way that people would go out.

MR. PETRO: The configuration on the road itself of the curbs are you going to be changing any of these curbs in the right-of-way?

MR. BABCOCK: Yes.

MR. EDSALL: One of the things I noted here I don't believe that anything they are changing is going to be

something that will require extensive review by DOT, but I think we'll notify them and tell them they'll have to file for a permit when they do it.

MR. PETRO: Permit and Bill Elgie or Don Green can look at it and say this is fine, you're not going to be held up probably because they are existing but you'll be in the right-of-way and going to have to get the permit, that is what I was trying to get to.

MR. KARTIGANER: Because we're going to have to take out the stuff that is existing.

MR. LANDER: Well, you're cleaning it up a lot.

MR. KARTIGANER: A lot.

MR. PETRO: The site could use it. Lighting, why don't you go over lighting a little bit cause I see you're removing poles, I keep seeing removing poles, but I don't know what you're putting back.

MR. LUCAS: I want to see them do lighting like up at the theater, it varies too much, the one in Newburgh, I have a teenager and him and his friends go to the movies a lot, I don't like the way the lighting is set up, it really doesn't cover the whole parking lot. There are a lot of dark areas and that is also one of my concerns is security along with the lighting, security, I'd like to emphasize security when you take this into consideration. They do have security, manned security and I'd like to see that addressed in this case cause that is a big issue, especially in this because will the bar will still be here.

MR. KRIEGER: I assume so, it's still existing.

MR. LUCAS: So those are two big issues with me, it will be security and lighting.

MR. KARTIGANER: Well, we do have that, the stanchions are shown not really clearly delineated in the legend but the stanchions are shown by these designations here, we do have a lighting, we did go over a lighting plan with Mark, what we're going to propose and that is

a concern by way of the theater, they want this place well lit, but we don't want to overlight it, there's residential all around the perimeter. So we have lit the area to between two and three foot candles per square foot, we can try to keep this as balanced, we ran this with a computer program to--

MR. PETRO: Is this an isolux plan or just--

MR. EDSALL: No, were hoping, I was hoping that they'd be able to generate an isolux curve plan but that is not the software that they have. What they have got is a point foot candle plotting and I can use that, I mean as long as they have integrated all the fixtures and spacing, I can look to see where the high and low points are.

MR. PETRO: Looks like they have plenty of fixtures with that amount of building, just with wall packs alone, you can probably hit most of the area.

MR. EDSALL: You'll notice in the front parking lot is that the spacing goes from left to right, aren't the same fixture to fixture because of the way the parking lot's laid out so to take that into account when you select the fixtures, if you don't select the fixtures properly during the design, you're not going to get an even lighting design.

MR. KARTIGANER: We're putting in more of a higher quality good halphane (phonetic) light, not just a simple box light and I think more solid fixture would be maintained better in an area like this as opposed to just a straight box.

MR. LUCAS: I know you can't address security on a plan like this, but is there anything you can tell us about it, is there a principle that he uses, do you have other theaters?

MR. ANGELOTTI: We typically wind up utilizing the town officers or a detailed officer on peak nights, if that service, municipalities vary in who's available, whether they have detail shifts that are available. Two hundred years ago when I used to work in the

theaters, Gary Sherman used to run security with a couple of officers, but it's something we take into consideration every time we do business so--

MR. PETRO: Back to planning board matters.

MR. STENT: Striping, we have been running into trouble in parking lots in the town where they are not putting striping down so everybody feels they have the right-of-way in parking lots and they can certainly be addressed.

MR. BABCOCK: When a car's going up the aisle here and then there's a car going through this aisle here.

MR. EDSALL: You need stop bars.

MR. STENT: Stop bars have to be put up because we have been having that problem.

MR. PETRO: We have, that was at Price Chopper and Shop Rite.

MR. BABCOCK: Both.

MR. LUCAS: What about designated parking for employees, is that an issue for you?

MR. KRIEGER: Not for that type of use really because of the hours.

MR. LUCAS: Does the bank have anything to do with the parking or is that the same?

MR. KRIEGER: Oddly enough, although the bank is on a separate parcel, the bank in fact uses the parking, however, that is a situation which is somewhat in flux because that bank branch is no longer a full service branch to say the least right now, they are not using any parking.

MR. PETRO: Enough said. Handicapped access I see you have it on the side and also grinding down the sidewalk in the front?

MR. KARTIGANER: Right.

MR. PETRO: Is that for purposes of access to the handicapped or aesthetics?

MR. KARTIGANER: That is more of say site specific, right now, the existing curbing, the pavement goes right up to the existing curbing that is there, the sidewalk that is right there is flush so we're going to be putting all brand new pavement so contractor bids are going to have to know that he is going to have to grind that down so we, when we put new pavement up to it, so this entire concrete sidewalk's going to be handicapped accessible.

MR. PETRO: Why don't we have a motion for lead agency?

MR. LUCAS: Make a motion we take lead agency.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Squire Village Shopping Center site plan on Route 94. Is there any further discussion from the board members?

MR. EDSALL: Just for the record, relative to the DOT review, if they are going to do any SEQRA review for the permit, that would be separate so we're not going to do, I would assume a coordinated review, this would be an uncoordinated review with the planning board issues only.

MR. PETRO: Yeah, in accepting how the curb cuts already existed.

MR. EDSALL: I just don't want to slow down the procedure as a result of having to coordinate with them on a very simple permit.

MR. PETRO: If they read the minutes, they'll understand.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: I don't know how far we can go tonight. Mark, you have got to get the lighting plan to look at and accept it.

MR. EDSALL: Well, there was several items that Scott was going to work on on the plans so at this point, they came in more to get some feedback from the board probably the most critical item I need some feedback on is whether or not you believe the overlap parking is a reasonable request. We can always work on the numbers later, but as long as you have no problem with it in concept, we can work with them on the numbers. Mike pointed out that the bar use may be just included into the restaurant count, but we need to make sure that all the seating and all the elements are included in the parking calculations.

MR. PETRO: That and you might want to just, Mr. Kartiganer, we don't know if he'd need an entire landscaping plan, but why don't you come up with a little schedule because you're going to have some green areas I see so maybe if you have a little schedule on one of the sheets where they are, I see you're designating a pine tree.

MR. KARTIGANER: We'll have a more extensive one as far as landscaping and whatnot, I think our primary goal tonight is really get the general format of the plan concept, if that is fine, then I can finalize and get the rest of the details done.

MR. PETRO: Well, I think the concept everybody feels it's definitely a step in the right direction, the place has been run down and it's a great improvement.

MR. LUCAS: Yeah, we like it, we don't have to go to the Town of Newburgh now.

MR. PETRO: Here's one request, the catch basins, I know they are existing, you mentioned you're going to clean out the basins themselves, that says nothing of the pipes, I don't even know what size if they are 15 inches or 10 inches.

MR. KARTIGANER: Some of them we don't even know.

MR. PETRO: That is our point.

MR. KARTIGANER: We're going to do the best we can.

MR. PETRO: See if you can give us some indication as to the size of the pipes, put it on the plan and also to see if you can get them to clean it out, not just the basins because the basins are going to do nothing for you if the pipe is 3/4 filled with silt.

MR. KARTIGANER: Part of the construction detail.

MR. PETRO: Give us something on the map on the size of the pipes.

MR. KARTIGANER: Whatever we can find on this and in fact on this map here, we didn't have the full, all the details of those at that time.

MR. PETRO: Especially this one.

MR. KARTIGANER: This is a 36 inch line.

MR. PETRO: Why don't you verify some of that though and you have got to use your judgment when you get down and clean out the hole and you see that the thing is 65 percent filled.

MR. KARTIGANER: Some of the things are just packed solid unless you dig them out.

MR. PETRO: You have got to dig them out and make it work. As it is, we're, if we go with this plan, the sheet flow, we're allowing the sheet flow to the other side of the property. I know he owns it now himself he owns it, I don't care but you sell it and the next person comes in and says why did you allow 300 slots

flowing on our property.

MR. KARTIGANER: There's the bulk from the rear of the property, the drainage that is going in a 36 inch pipe to a catch basin that is in that outlet.

MR. PETRO: But there's quite a bit of sheet flow.

MR. KARTIGANER: Right, actually in this case I think it's preferable.

MR. LUCAS: Also I think the pond in the cemetery that flows from there into there, right?

MR. PETRO: Ron, that refuse area, it's on three sides surrounded by three sides, you don't need a gate?

MR. LANDER: No.

MR. KARTIGANER: That is a depressed area also.

MR. PETRO: You do have fire approval as it stands now, remember if you make any changes to the plans, it's going to have to go back so that is as it stands now, okay, I think you have got a pretty fair amount of input from the board. Anybody want to add anything in particular?

MR. BABCOCK: Mr. Chairman, the signs they are talking about existing signs not to exceed that of the existing, I think we need something with the, what the signs are going to be and what they are, if you can give us a sign detail, if you have a sign out that that is existing now, that is a billboard, it won't be acceptable here today, you're going to have to conform to the new ordinance.

MR. KARTIGANER: Well, the pre-existing, there's a large structural sign, there's one that is that like a lollipop sign that comes up there and there's another one that has big Squire Village on it, has a bank and a lot of stores that don't even exist there any longer. What they'd be doing is taking that same form and putting that, the reason I put that note I was trying to make it because we don't know exactly how the form

of the signs are going to be, the bulk of that sign will be the theater and some of it will be, you know, the landlords.

MR. BABCOCK: But if it's larger than what the ordinance is today, you're not going to be able to keep it, if you are changing it.

MR. ANGELOTTI: What about retrofitting the existing Squire Village sign that is from now?

MR. BABCOCK: No, even if you are retrofitting, you have to comply with the ordinance.

MR. ANGELOTTI: Even if height doesn't change?

MR. BABCOCK: You're going to have to change the sign to the size of the ordinance, it may meet the ordinance of today anyway but we just need to know what the size is.

MR. PETRO: This is a very complicated issue, me with signs, I'm not, I'm more on your side with signs than I am with the building department, I don't know how to say this but--

MR. BABCOCK: With the town, not me.

MR. PETRO: The town, but what you have to do get in touch with him, it's very complicated, you may need a variance and you're going to need to do it now, don't waste time and go over there and start building it and he comes over with a stop work order. So find out exactly what they are going to put up, how they are going to put it up and because it's there now doesn't mean you can do it, so discuss it.

MR. EDSALL: Just a note what Mike and I have done on I think every application is if the signs can be resolved as part of the site plan, fine, they'd be part of the building permit that would be out for the building. But if it can't be resolved now, if they need to get something straighten out, we can separate the two so that the site plan can move forward, so the signs just have to be handled with a different permit, different

approval.

MR. PETRO: Try to resolve it when we do this process and work within the parameters, just because it's existing doesn't mean that you can go over there and put your name over top of it.

MR. KARTIGANER: That was my intention was that I didn't want to deal with the issue if I didn't have to.

MR. PETRO: Keep in mind you have other tenants there that also need space on these signs.

MR. KARTIGANER: That is right, that is part of the issue though it's a total place and what I anticipate is once we have the theater, we're going to have a whole slew of new tenants coming in, not just to the front here but get this whole entire thing rehabbed, probably get more class of tenants in.

MR. PETRO: I'm belaboring the sign business, if I was going to be the owner of a theater, I wouldn't want-- really find out what they need and you can always get a variance if you need it.

MR. KARTIGANER: Procedure wise?

MR. KRIEGER: You can always apply.

MR. KARTIGANER: Procedure wise, should we go to another workshop meeting, see if we can resolve, seems like most of these are just more technical issues.

MR. EDSALL: Definitely.

MR. PETRO: Everyone here likes what you're doing, you're not going to have a problem, you have to comply with what needs to be done, that is as simple as it gets is to basically you're going to finalize your lighting, a little bit of the landscaping plan, the parking you're going to reduce 9 foot by 19, the aisle stays as 25 feet and what else, whatever else needs to be done and you're going to give me some information on the status of the catch basins, the drainage, okay?

August 13, 1997

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MR. KARTIGANER: Okay.

MR. PETRO: Thank you.



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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: SQUIRE VILLAGE SHOPPING CENTER SITE PLAN
(SITE IMPROVEMENTS FOR DESTINA THEATERS)
PROJECT LOCATION: NYS ROUTE 94 AND UNION AVENUE
PROJECT NUMBER: 97-28
DATE: 13 AUGUST 1997
DESCRIPTION: THE APPLICATION PROPOSES THE CONVERSION OF THE
FORMER RETAIL MARKET AT THE WEST OF THE SITE TO
A MOVIE THEATER. THE PLAN WAS REVIEWED ON A
CONCEPT BASIS ONLY.

1. The property is located within the neighborhood commercial (NC) Zoning District of the Town. The proposed theater use is a Use Permitted by Right for the NC Zone. The "required" bulk information shown on the plan appears correct for the Zone and Use Group. The "provided" values should be verified and corrected as necessary. As well, the corresponding dimensions should be indicated on the plan itself. I do not anticipate any compliance problems, as any current non-conformities would likely be continued and not made a greater.

The Applicant is seeking consideration under Code Section 48-16(7) which deals with "overlapping" uses and shared parking. The Board should review the information on the plan and discuss same with the Applicant, making a formal determination for this item.

2. Obviously, this application not only involves the conversion of the building use itself, but as well a much needed upgrade of the site facilities. I have reviewed the plan with the Applicant and their engineer at the Technical Work Sessions, and have made some recommendations, including a revision to the 9' x 19' parking spaces. I anticipate that subsequent plans submitted will include this revision, as well as some others, based on our reviews and discussions. Upon receipt of the subsequent plans, I will review same and advise the Board accordingly.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:SQUIRE.mk

RESULTS OF P.E. MEETING

DATE: August 13, 1997

PROJECT NAME: Squire Village Theater PROJECT NUMBER 17 28

LEAD AGENCY: * NEGATIVE DEC:
*
M) LU S) LN VOTE: A 5 N 0 * M) S) VOTE: A N *

CARRIED: YES ✓ NO * CARRIED: YES: NO *

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES ✓ NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

No new curb cuts
Need plan from Owner of property
Send plan to D.O.T.
Stop bars on plan for parking areas
Need lighting plan
Develop parking OK by the Board
Landscaping sketch
sign to be detailed
Drainage

SITE PLAN FEES - TOWN OF NEW WINDSOR
(INCLUDING SPECIAL PERMIT)

APPLICATION FEE:.....\$ 100.00

* * * * *

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ 750

MULTI-FAMILY SITE PLANS:

_____ UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)....\$ _____

_____ UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS).....\$ _____

TOTAL ESCROW PAID:.....\$ _____

* * * * *

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY)

\$ 100.00 (1)

PLAN REVIEW FEE (MULTI-FAMILY): A. \$100.00
PLUS \$25.00/UNIT B. _____

TOTAL OF A & B:\$ _____

RECREATION FEE: (MULTI-FAMILY)

\$500.00 PER UNIT

_____ @ \$500.00 EA. EQUALS: \$ _____
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$ _____

2% OF COST ESTIMATE \$ 319,037.50 EQUALS \$ 6,380.75 (2)

TOTAL ESCROW PAID:.....\$ _____

TO BE DEDUCTED FROM ESCROW: _____

RETURN TO APPLICANT: \$ _____

ADDITIONAL DUE: \$ _____



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 28

DATE PLAN RECEIVED: RECEIVED AUG 2 2 1997

RECEIVED

AUG 25 1997

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval ☒

Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been

reviewed by me and is approved ☒
disapproved ☐

If disapproved, please list reason _____

W. James Cuth 8/29/97
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

MEMO

To: Town Planning Board

From: Town Fire Inspector

Subject: Squire Village Shopping Site Plan

Date: 26 August 1997

Planning Board Reference Number: PB-97-28

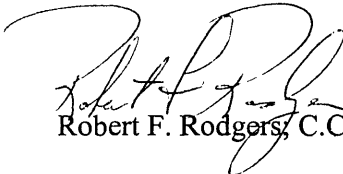
Dated: 22 August 1997

Fire Prevention Reference Number: FPS-97-043

A review of the above referenced subject site plan was conducted on 22 August 1997.

This site plan is acceptable.

Plans Dated: 20 August 1997 Revision 1



Robert F. Rodgers, C.C.A.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

AUG 11 1997
NEW HIGHWAY DEPT.

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 28

DATE PLAN RECEIVED: RECEIVED AUG 8 1997

The maps and plans for the Site Approval ☒

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒

disapproved ☐

If disapproved, please list reason _____

W. James Sullivan 8/11/97
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF

New Windsor

P/B #

97 - 28

WORK SESSION DATE:

20 Aug 97

APPLICANT RESUB.
REQUIRED:

new plans

REAPPEARANCE AT W/S REQUESTED:

No

PROJECT NAME:

Squire Theater

PROJECT STATUS:

NEW

X

OLD

REPRESENTATIVE PRESENT:

Scott K.

MUNIC REPS PRESENT:

BLDG INSP.

around

FIRE INSP.

X

ENGINEER

X

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

+ add sign to bar

+ silt fence note on plan - no detail warranted

+ lighting OK per computer / no plan needed

+ separating signs to separate issue

- will likely need variance for signs -

MB to separately process

next agenda -

4MJ91 pbwsform



1765

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **97 - 28**
RECEIVED AUG 22 1997
DATE PLAN RECEIVED: _____

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Squire Village Shopping Center has been

reviewed by me and is approved ☒

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is a common line feeding this Center -
I met with Architect on this -

HIGHWAY SUPERINTENDENT DATE

Steve D. D. - CAMD - 8.26.97
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

1-3

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # -

WORK SESSION DATE: 6 Aug 97

APPLICANT RESUB.
REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: Not now

PROJECT NAME: Squire Village Theater

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Mario Vigan, Scott K

MUNIC REPS PRESENT: BLDG INSP. ✓AC
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- + 2000+ SF perimeter -
- will clean out C/B's pipes, << 10% add'l paving - Δ no antie problem -
- note adjacent property is owned by same owner
- 9'x19'
- proceed w/ plan review during 8/13

Poss 8/13 agenda

4MJE91 pbwsform



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION?
RECORD OF APPEARANCE ?

1-3

TOWN/VILLAGE OF New Windsor P/B # -

WORK SESSION DATE: 18 Jun 97

APPLICANT RESUB.
REQUIRED: Yes (later Fall)

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Squire Village (theater)

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Jeff Lease

MUNIC REPS PRESENT: BLDG INSP. ?
FIRE INSP. h2h
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Cinema → A-P Bldg. (17,350 sf)
- "Magic Cinemas"
- want to add 15' @ rear of Bldg.
1200 seats total
- NC
- why split to 3 lots.
- Pks now 9x19
- new plan → existing conditions + addition
new parking, new lighting, new sign, bulk table.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED
AUG 11 1997
N.W. HIGHWAY DEPT.

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 28

DATE PLAN RECEIVED: RECEIVED AUG 8 1997

The maps and plans for the Site Approval ✓
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ✓
disapproved _____.

If disapproved, please list reason _____

Squire Village Shopping Center -
Pleasant Theater

W. James Sullivan 8/11/97
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1765

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 28

DATE PLAN RECEIVED: RECEIVED AUG 8 1997

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Squire Village Shopping Center has been
reviewed by me and is approved ☒

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is two water service
this property - Please contact water
dept. for any changes in service line.

HIGHWAY SUPERINTENDENT DATE

John D. D. O. C. Amos - 8-11-97
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

MEMO

To: New Windsor Planning Board

From: Town Fire Inspector

Subject: Squire Village Shopping Center

Date: 12 August 1997

Planning Board Reference Number: PB-97-28

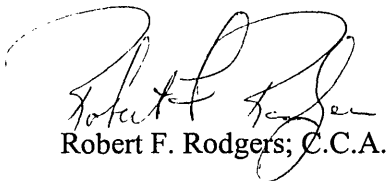
Dated: 8 August 1997

Fire Prevention Reference Number: FPS-97-039

A review of the above referenced subject site plan was conducted on 11 August 1997.

This site plan is acceptable.

Plans Dated: 5 August 1997.



Robert F. Rodgers; C.C.A.

TOWN OF NEW WINDSOR 97-28

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD



176 TYPE OF APPLICATION (check appropriate item):

Subdivision____ Lot Line Chg.____ Site Plan X Spec. Permit____

1. Name of Project SQUIRE VILLAGE COMMERCIAL CENTER
SITE IMPROVEMENTS FOR DESTINTA THEATERS
2. Name of Applicant DESTINTA THEATERS Phone 212-861-8871

Address 125 EAST 71ST ST. NYC, NY, 10021
(Street No. & Name) (Post Office) (State) (zip)

3. Owner of Record FRANKLIN ASSOC. Phone____

Address CIAFFOT MT. PLAZA W. PATTERSON NJ 10021
(Street No. & Name) (Post Office) (State) (zip)

4. Person Preparing Plan SCOTT KARTIGANER PE.

Address 555 BLOOMING GROVE TPK, NEW WINDSOR
(Street No. & Name) (Post Office) (State) (zip) NY 12553

5. Attorney NA Phone____

Address____
(Street No. & Name) (Post Office) (State) (zip)

6. Person to be notified to represent applicant at Planning Board Meeting SCOTT KARTIGANER Phone 1-800-514-8098
(Name)

7. Project Location: On the EAST side of QUASSAUCIC AVE
(street)
200 feet SOUTH of UNION AVE
(direction) (street)

8. Project Data: Acreage of Parcel 6.13 Zone NC,
School Dist. NEWBURGH

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y____ N X

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section _____ Block _____ Lot _____

11. General Description of Project: PARKING LOT IMPROVEMENTS,
2000 SF +/- ADDITION OF BUILDING TO ACCOMMODATE
THEATER, NEW LIGHTING & LANDSCAPING.

12. Has the Zoning Board of Appeals granted any variances for this property? _____ yes X no.

13. Has a Special Permit previously been granted for this property? _____ yes X no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

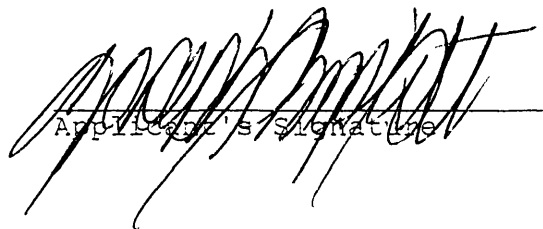
SS.:

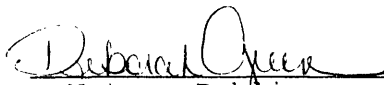
COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

6th day of August 1997


Applicant's Signature


Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
251000
Commission Expires July 15, 1999

TOWN USE ONLY:

RECEIVED AUG 8 1997

97 - 28

Date Application Received

Application Number

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

MARTIN S. KENWOOD/FANGLIN ASSOC deposes and says that he
(Applicant) (owner)
One Garret Mountain Plaza
Suite 800

resides at West Paterson, NJ 07424-3327
(Applicant's Address)
owner

in the County of PASSAIC

and State of NJ

and that he is the applicant for the DESTINA THEATRES

AT SQUIRE VILLAGE
(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized SCOTT KACTIGANER
(Professional Representative)

to make the foregoing application as described therein.

Date: 8/15/97

Martin S. Kenwood
(Owner's Signature)
Arre Gonar
(Witness' Signature)

ARRE GONAR

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

97 -

28

AUG 8 1997

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARDDESTINA
(Applicant), deposes and says that heresides at 125 EAST 71 STREET, NYC NY 10021
(Applicant's Address)in the County of MANHATTANand State of NYand that he is the applicant for the SQUIRE VULCAN COMMERCIAL
CENTER, SITE IMPROVEMENTS FOR DESTINA THEATERS,
(Project Name and Description)which is the premises described in the foregoing application and
that he has authorized SCOTT KATIGAN, P.E.
(Professional Representative)

to make the foregoing application as described therein.

Date: August 6, 1997[Signature]
(Owner's Signature)
[Signature]
(Witness' Signature)THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

If applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title | 29. <input checked="" type="checkbox"/> Curbing Locations |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s) | 30. <input checked="" type="checkbox"/> Curbing Through Section |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es) | 31. <input checked="" type="checkbox"/> Catch Basin Locations |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name | 32. <input checked="" type="checkbox"/> Catch Basin Through Section |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 33. <input checked="" type="checkbox"/> Storm Drainage |
| 6. <input checked="" type="checkbox"/> Drawing Date | 34. <input checked="" type="checkbox"/> Refuse Storage |
| 7. <input checked="" type="checkbox"/> Revision Dates | 35. <input checked="" type="checkbox"/> Other Outdoor Storage |
| 8. <input checked="" type="checkbox"/> Area Map Inset | 36. <input checked="" type="checkbox"/> Water Supply |
| 9. <input type="checkbox"/> Site Designation | 37. <input checked="" type="checkbox"/> Sanitary Disposal System |
| 10. <input checked="" type="checkbox"/> Properties Within 500' of Site | 38. <input checked="" type="checkbox"/> Fire Hydrants |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10) | 39. <input checked="" type="checkbox"/> Building Locations |
| 12. <input checked="" type="checkbox"/> Plot Plan | 40. <input checked="" type="checkbox"/> Building Setbacks |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser) | 41. <input checked="" type="checkbox"/> Front Building Elevations |
| 14. <input checked="" type="checkbox"/> Metes and Bounds | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 15. <input checked="" type="checkbox"/> Zoning Designation | 43. <input checked="" type="checkbox"/> Sign Details |
| 16. <input checked="" type="checkbox"/> North Arrow | 44. <input checked="" type="checkbox"/> Bulk Table Inset |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners | 45. <input checked="" type="checkbox"/> Property Area (Nearest
100 sq. ft.) |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 46. <input checked="" type="checkbox"/> Building Coverage (sq. ft.) |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas | 47. <input checked="" type="checkbox"/> Building Coverage (% of
Total Area) |
| 20. <input checked="" type="checkbox"/> Existing Vegetation | 48. <input checked="" type="checkbox"/> Pavement Coverage (sq. ft.) |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress | 49. <input checked="" type="checkbox"/> Pavement Coverage (% of
Total Area) |
| <u>PROPOSED IMPROVEMENTS</u> | |
| 22. <input checked="" type="checkbox"/> Landscaping | 50. <input checked="" type="checkbox"/> Open Space (sq. ft.) |
| 23. <input checked="" type="checkbox"/> Exterior Lighting | 51. <input checked="" type="checkbox"/> Open Space (% of Total Area) |
| 24. <input checked="" type="checkbox"/> Screening | 52. <input checked="" type="checkbox"/> No. of Parking Spaces Prop. |
| 25. <input checked="" type="checkbox"/> Access & Egress | 53. <input checked="" type="checkbox"/> No. of Parking Spaces Req. |
| 26. <input checked="" type="checkbox"/> Parking Areas | |
| 27. <input checked="" type="checkbox"/> Loading Areas | |
| 28. <input checked="" type="checkbox"/> Paving Details
(Items 25-27) | |

PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>DESTINA THEATERS</u>	2. PROJECT NAME <u>SQUARE SHOPPING CENTER IMPROVEMENTS</u>
3. PROJECT LOCATION: Municipality <u>NEW WOODSOL</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>200 FT. SOUTH OF UNION AVE ON QUASSACK AVE.</u>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>SIDE IMPROVEMENTS FOR DESTINA THEATERS, 2000 SF ADDITION TO BLDG, NEW LANDSCAPING & REHAB OF PAVEMENT</u>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>PLANWIC BOARD</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval <u>EXISTING FACILITY</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>SCOTT KARTIGAN</u>	Date: <u>8/5/97</u>
Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If No, a negative declaration may be superseded by another involved agency.</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.</p> 	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly</p>	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:</p>	
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>	
Name of Lead Agency	
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>	
Date	